

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:22-cr-124-1

vs.

JOSHUA HUGHES,

District Judge Michael J. Newman

Defendant.

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**ORDER: (1) CONFIRMING THAT TRIAL WILL BEGIN ON SEPTEMBER 11, 2023 AT 9:30 A.M.; (2) DIRECTING THE PARTIES TO FILE A JOINT STATUS REPORT ON CASE PROCEEDINGS BY AUGUST 14, 2023; (3) SETTING A MOTION *IN LIMINE* DEADLINE FOR AUGUST 21, 2023; (4) SETTING A FINAL PRETRIAL CONFERENCE FOR AUGUST 31, 2023 AT 2:00 P.M. IN COURTROOM 4; (5) GRANTING A CONTINUANCE UNTIL THE TRIAL DATE; (6) EXCLUDING THE TIME FROM JUNE 9, 2023 TO SEPTEMBER 11, 2023 FROM THE SPEEDY TRIAL ACT CALCULATION; AND (7) FINDING THAT THE NEW SPEEDY TRIAL ACT DEADLINE IS NOVEMBER 2, 2023**

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This criminal case comes before the Court to confirm the September 11, 2023 trial date that the Court previously proposed. The Court directed the parties to file a notice of objection to that trial date by June 8, 2023 and stated that it would construe silence as consent to a continuance until the trial date. Doc. No. 104. The June 8 deadline has passed and no party has objected to a September 11, 2023 trial date. Thus, the Court **CONFIRMS** that trial will begin on September 11, 2023 and **SETS** the following schedule:

1.	Joint Status Report Deadline	<b>August 14, 2023</b>
2.	Motion <i>in Limine</i> Deadline	<b>August 21, 2023</b>
3.	Final Pretrial Conference	<b>August 31, 2023 at 2:00 P.M. in Courtroom 4</b>
4.	Trial Date	<b>September 11, 2023 at 9:30 A.M.</b>

Pursuant to the Court's prior order (Doc. No. 104), the Court **GRANTS** a continuance until the trial date. The Court finds that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), after considering the factors set forth therein, the ends of justice are served by granting the requested continuance and that such continuance outweighs the best interest of the public and defendant in a speedy trial. Failure to grant the requested continuance would deny both the Government and Defendant the time necessary for effective preparation (such as having witnesses available to testify at trial), and the ability to explore all available means of resolving this case. *See* 18 U.S.C. § 3161(h)(7).

The time from June 9, 2023 until September 11, 2023 is **EXCLUDED** in computing the time period set forth in 18 U.S.C. § 3161 within which the United States must bring Defendants to trial. Accounting for the time excluded from the Speedy Trial Act calculation, the new **Speedy Trial Act deadline** in the instant case is **November 2, 2023**.<sup>1</sup>

**IT IS SO ORDERED.**

June 9, 2023

s/Michael J. Newman  
Hon. Michael J. Newman  
United States District Judge

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<sup>1</sup> If counsel disagrees with this calculation, counsel shall contact the Court with their proposed Speedy Trial Act calculation and deadline.